

ENTERED

April 12, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

RONALD GUEVARA,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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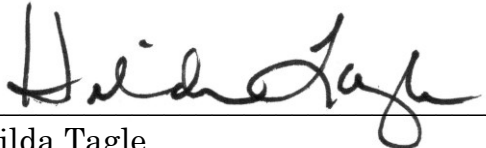
Case No. 1:15-cv-086
(Criminal No. 1:13-cr-652-1)

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

Before the Court is the Magistrate Judge's March 12, 2018, Report and Recommendation ("R&R") in the above-captioned case. Dkt. No. 19. The time to file objections to the R&R has passed, and no objections have been filed. *See* 28 U.S.C. § 636(b)(1) (setting a 14-day deadline to file objections; FED. R. CIV. P. 72(b)(2) (same). After a de novo review of the case, the Court **ADOPTS** the Magistrate Judge's R&R. *Id.* However, with regard to Petitioner's claim that he received ineffective assistance of counsel prior to pleading guilty, the Court clarifies that Magistrate Judge Ronald G. Morgan ("Judge Morgan") presided over Petitioner's September 24, 2013, re-arraignment hearing.¹ *See United States v. Guevara*, 1:13-cr-652-1, Minute Entry entered on Sept. 24, 2013 (S.D. Tex. filed Aug. 13, 2013).

The Court hereby **DISMISSES WITH PREJUDICE** Petitioner's 28 U.S.C. § 2255 Motion, as amended. A certificate of appealability shall not issue. The Court will direct entry of final judgment separately.

SIGNED this 12th day of April, 2018.



Hilda Tagle
Senior United States District Judge

¹ The R&R quotes from the September 24, 2013, re-arraignment hearing transcript. Dkt. No. 19 at 17. While Petitioner's speech in the quoted material is preceded by the identifier "Defendant Guevara," Judge Morgan's speech is preceded by the identifier "The Court."